

REMARKS

This application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action rejects claims 1-7, 9, and 10 under 35 USC §102(b) as being anticipated by, or in the alternative, under 35 USC §103(a) as obvious over WALLACE. Reconsideration and withdrawal of this rejection is respectfully requested for the following reasons:

Applicant has amended claim 1 to recite a number of features that are absent from the applied reference. Claim 1 now recites at least one fin that is adapted to take up a folded position in which it is substantially folded into a reduced diameter portion of the cylindrical body. This is clearly the case with respect to fin 13 and reduced diameter portion 10' of the present device. It is certainly not the case with wing 21 and shank 13 of the WALLACE device.

This is clear from consideration of Figure 7 of WALLACE and Figure 2B of the present application, below. Considering the dashed ellipse areas of the annotated drawings, wing 21 of the WALLACE device is at all times well outside the shank 13. In contrast, fin 13 of the present device is, in its folded position, disposed within reduced diameter portion 10'.



Moreover, the fin of the present device is heat-deformable from the folded position to the extended position, as recited in amended claim 1. The WALLACE device is not.

Accordingly, the WALLACE reference fails either to anticipate or render obvious the device recited by present independent claim 1 and the claims that depend therefrom. Reconsideration and withdrawal of such rejection are therefore respectfully requested.

The Official Action rejects claim 11 under 35 USC §103(a) as being unpatentable over WALLACE in view of ZHOU et al. Reconsideration and withdrawal of this rejection is respectfully requested for the following reasons:

The Office Action offers the ZHOU reference for its asserted teaching or suggestion of a fin positioned to extend as claimed. However, irrespective of the ability of the ZHOU

reference to teach or suggest that for which it is specifically offered, it nevertheless fails to disclose or suggest the full set of features of claim 11 as now amended.

Claim 11 now recites, among other features, that when the at least one fin is in the first (folded) position, an exterior of the fin is arranged so as to preserve the cylindrical shape of the cylindrical body. This feature is well illustrated by the fin 13 in Figure 2B above highlighted within the dashed ellipse in the annotated drawing. The secondary ZHOU reference no more teaches or suggests this feature than does the primary WALLACE reference.

Accordingly, the combination of references fails to teach that for which it is offered, and the rejection cannot stand.

The Official Action rejects claim 8 under 35 USC §103(a) as being unpatentable over WALLACE in view of FOUERE. The Official Action separately rejects claim 17 as being unpatentable over WALLACE in view of ZHOU et al, further in view of FOUERE. In each rejection, the FOUERE reference is offered for its asserted teaching of fins pivoting between a folded position and an extended position about an axis parallel to the longitudinal direction of the cylindrical body.

However, irrespective of the ability of this reference to teach or suggest that for which it is specifically offered, it nevertheless fails to overcome the shortcomings of the reference

or references applied against the independent claim from which each of the rejected claims depends. Accordingly, applicant respectfully suggests that neither of these rejections can stand, and reconsideration and withdrawal of such rejections are respectfully requested.

In addition to the amendments described above, applicant has added new claim 20. New claim 20 depends directly from amended independent claim 1 and further recites that when the fin is in the folded position the fin is substantially folded into a reduced diameter portion of the cylindrical body so as to preserve the cylindrical shape of the cylindrical body. This feature is believed to be absent from any prior art, including the art that is now of record.

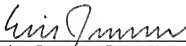
In light of the amendments provided above and the arguments offered in support thereof, applicants believe that the present application is in condition for allowance and an early indication of the same is respectfully requested.

If the Examiner has any questions or requests clarification of any of the above points, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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